

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

In Re: Sarvone Johnson : Case No: 15-57708
Suzette Johnson :
Debtor(s) : Chapter 13 Judge: CHARLES M. CALDWELL
: 341 hrg 1/20/2016

CHAPTER 13 TRUSTEE'S OBJECTION TO CONFIRMATION

Now comes Frank M. Pees, Standing Chapter 13 Trustee, and objects to the confirmation of the plan and requests that the Court enter an Order denying confirmation for the reasons set forth below and dismissing the case, pursuant to 11 U.S.C. §1307. This objection supersedes any prior objection filed in this case by the Trustee.

Above median income _____ Below median income X

X **11 U.S.C. §1325(a)(1)**-Plan does not comply with all provisions of Chapter 13 of Title 11 and the other applicable provisions of Title 11:

X Trustee is unable to accurately determine length. **Plan is silent (but for adequate protection) on all 3 secured debts to Acceptance Now.**

X Other: **Plan discloses this case this case as above median income; however, per the I22C this case is below median income.**

Sch I does not provide the attachment per line #8a showing gross income and expenses.

The I22C does not disclose the support income rec'd in the prior 6 mos to filing.

Per 341, the 08 Cadillac has been surrendered; however, plan is proposing to pay this debt in full as a 910 debt.

X **11 U.S.C. §1325(a)(6)**-Plan is not feasible based on income, living expenses, and plan payments. **Mrs testified she is no longer receiving child support income.**

Available income is 1361 mo; however, plan pymts are 1380 mo.

X Other: **Provide: Mrs' Sch C from her 2014 tax return, P&L Stmts for each business as Mr's tax returns do not support feasibility and 12 mos personal and business bank stmts.**

X **11 U.S.C. Section 1326(a)(1)**-Debtor(s) have failed to tender the

following pre-confirmation payments not later than 30 days from the filing of the plan or petition (whichever is earlier): **Need 1st pymt = \$1380**

Pursuant to LBR 3015-2(a), amendments necessary to place the plan in a posture for confirmation must be filed at least ten (10) days prior to the hearing on confirmation set for March 07, 2016, unless Debtor(s) have entered into an Agreed Order with the Trustee and so are bound by the terms of that Order.

Therefore, the Trustee prays that confirmation is denied and this case be dismissed for cause pursuant to §1307(c).

TERMS OF THE PLAN:

Plan Payments: 1380 mo

Best Interest Dividend: 23% Dividend: 44%

Length: 0 Months

Further, Trustee notes that:

 X Debtor(s) have failed to attend Debtor Orientation.

Dated: January 26, 2016

Respectfully submitted,

/s/ Frank M. Pees

Frank M. Pees
Chapter 13 Trustee
130 East Wilson Bridge Road #200
Worthington, Ohio 43085
(614) 436-6700
trustee@ch13.org

CERTIFICATE OF SERVICE

The undersigned hereby certified that on the date shown below a copy of the Trustee's Objection to Confirmation was served electronically on the Office of the United States Trustee and Debtor's attorney, and on the Debtor(s) at the address as currently shown in the Trustee's records by regular first class mail, postage prepaid.

Dated: January 26, 2016

/s/ Frank M. Pees

Frank M. Pees

Chapter 13 Trustee

130 East Wilson Bridge Road #200

Worthington, Ohio 43085-6300